

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
SCOTT CAWTHON,	:	
	:	
Plaintiff,	:	
	:	22-CV-7396 (VSB) (OTW)
- against -	:	
	:	<u>ORDER</u>
	:	
CONG TY CO PHAN TAP DOAN APEC	:	
VIET NAM,	:	
	:	
Defendant.	:	
	X	

VERNON S. BRODERICK, United States District Judge:

On August 30, 2022, Plaintiff Scott Cawthon filed this action for copyright infringement against Defendant Cong Ty Co Phan Tap Doan Apec Viet Nam. (Doc. 1.) After Defendant failed to appear in this action and I held two Order to Show Cause hearings, I ordered that default judgment as to liability be entered in favor of Plaintiff on September 18, 2023. (Doc. 33.) That same day, I referred this action to Magistrate Judge Ona T. Wang for an inquest on damages. (Doc. 34.)

On December 16, 2024, Magistrate Judge Wang issued a thorough 23-page Report and Recommendation recommending that Plaintiff be awarded: \$10,000 in damages pursuant to 17 U.S.C. § 504(c); \$7,970.62 in attorneys’ fees pursuant to 17 U.S.C. § 505; \$402.00 in costs; and post-judgment interest from the date of the entry of the award until the date of payment, using the federal rate as set forth in 28 U.S.C. § 1961. (Doc. 40 at 22.) Neither party filed any objections to the Report and Recommendation.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “To accept the report


and recommendation of a [M[agistrate [Judge], to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985).

Although the Report and Recommendation explicitly provided that “the parties shall have fourteen (14) days (including weekends and holidays) from receipt of this Report to file written objections” and the “failure to file objections within fourteen (14) days will result in a waiver of objections and will preclude appellate review,” (Doc. 40 at 22–23), neither party filed an objection or requested additional time to do so. I have reviewed Magistrate Judge Wang’s detailed and well-reasoned Report and Recommendation for clear error and, after careful review, find none. I therefore ADOPT the Report and Recommendation in its entirety.

The Clerk’s Office is respectfully directed to enter judgment in accordance with this Order and close this case.

SO ORDERED.

Dated: March 6, 2025
New York, New York


Vernon S. Broderick
United States District Judge